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Message Text

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PAGE 01 MEXICO 08258 251746Z
ACTION L-03

INFO OCT-01 SCS-05 ISO-00 ARA-10 DHA-02 H-02 SCA-01
JUSE-00 /024 W
----------260043Z 041748 /14
R 251746Z MAY 77
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 2363

UNCLAS MEXICO 08258

EO 11652: NA
TAGS: CASC, MX
SUBJECT: PRISONER TRANSFER

REF: STATE 118504

1. FOLLOWING RESPONSE PARALLELS PARAGRAPHS IN REFTEL.

2. PARA 2: MEXICO CITY CONSULAR DISTRICT HAS AT PRESENT NO CASES OF PRISONERS (1) UNDER EIGHTEEN YEARS OF AGE, (2) HELD IN CIVIL COMMITMENT AS ADDICTS, OR (3) HOSPITALIZED AS INSANE. IN THE EMBASSY'S EXPERIENCE, DIFFICULT MENTAL CASES MERITING HOSPITALIZATION ARE EITHER DEPORTED OR ARE TRIED WITHOUT ADDRESSING QUESTION OF MENTAL COMPETENCE. IN EMBASSY'S VIEW, THERE ARE TWO CASES OF IMPRISONED INDIVIDUALS WHO SHOULD BE HOSPITALIZED IF RETURNED TO U.S. - ONE IN MEXICO CITY, THE OTHER IN THE MONTERREY CONSULAR DISTRICT.

3. PARA 3: MCANINCH AND GAITHER (STARRS ON LEAVE) CONCUR IN RECOLLECTION OF DEPARTMENT ON ISSUE OF PAYMENT OF REPARATIONS. SUBSEQUENT TO SIGNING OF TREATY, EMBASSY LEGAL ADVISER GAITHER RAISED THIS POINT SPECIFICALLY WITH UNDER SECRETARY ROSENZWEIG DIAS AND RECEIVED SAME RESPONSE.
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HOWEVER, EMBASSY IS NOT CERTAIN THAT THIS VIEW WILL BE HELD BY ATTORNEY GENERAL AND DOUBT WE COULD GET A DEFINITIVE RESPONSE AT THIS STAGE IN AG'S PREPARATION TO IMPLEMENT TREATY. WE WILL RAISE ISSUE WITH AG AND REPORT WHEN A DEFINITIVE OPINION IS RECEIVED.

4. PARA 5: EMBASSY WILL POUCH OFFICIAL CITATIONS FOR

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MEXICAN SENATE ACTION IN TREATY (DIARIO OFFICIAL, JANUARY 28, 1977). WE DO NOT BELIEVE PRESIDENTIAL DESIGNATION OF "AUTHORITY" HAS YET BEEN PUBLISHED.

5. PARA 6: EMBASSY HAS RECEIVED MANY ALLEGATIONS FROM AMERICAN PRISONERS WHO CLAIM THEY WERE COMPELLED TO SIGN CONFESSIONS IN SPANISH WHICH WERE EITHER NOT TRANSLATED FOR THEM OR WERE INADEQUATELY TRANSLATED. THE PRINCIPAL DIFFICULTY ARISES IN THE INVESTIGATIVE STAGE WHICH IS PRIOR TO THE CASE BEING SUBMITTED TO THE MINISTERIO PUBLICO (PROSECUTIVE AUTHORITY) OR JUDGE. IN EMBASSY VIEW, IT HAS LIKELY BEEN FREQUENT THAT STATEMENTS SIGNED DURING THE INVESTIGATIVE STAGE WERE MADE WITHOUT ADEQUATE TRANSLATION, IF ANY. ONCE THE CASE IS TRANSMITTED TO THE PROSECUTIVE AUTHORITY OR JUDGE IN MEXICO CITY, EMBASSY IS OF VIEW THAT A TRANSLATER/INTERPRETER IS NORMALLY PRESENT. HIS COMPETENCE MAY BE LOW DUE TO INABILITY TO PAY COST OF COMPETENT TRANSLATER/INTERPRETER.

OUTSIDE MEXICO CITY, PROBLEM IS MORE SEVERE PRESUMABLY OWING TO DIFFICULTY IN OBTAINING INTERPRETERS/TRANSLATORS. CALDERHEAD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRISONER EXCHANGE, TREATY RATIFICATION, LOWER HOUSE, US CONGRESSIONAL HEARINGS, INFORMATION CONTROL, PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Sent Date: 25-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
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Executive Order: N/A
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Film Number: D770187-0739
Format: TEL
From: MEXICO
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t19770520/aaaaaqub.tel
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Litigation History:
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Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
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Reference: 77 STATE 118504
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Event:
Review Exemptions: n/a
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Review Release Date: n/a
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SAS ID: 2378793
Secure: OPEN
Status: NATIVE
Subject: PRISONER TRANSFER
TAGS: CASC, PFOR, MX
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/cc68498a-c288-dd11-92da-001cc4696bcc
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